UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

Criminal No. 4:06-CR-46-1BO Civil No. 4:16-CV-149-BO

TOBY FRANKLIN HEATH,)	
Petitioner,)	
v.)	ORDER
UNITED STATES OF AMERICA,)	
Respondent.)	

Having examined petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED. This **3** day of June, 2016.

TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE